

## Article - Health Occupations

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§6–202.

- (a) (1) The Board consists of seven members.
- (2) Of the seven Board members:
  - (i) Five shall be licensed massage therapists; and
  - (ii) Two shall be consumer members.
- (3) (i) The Governor shall appoint the licensed massage therapist members with the advice of the Secretary, and the advice and consent of the Senate of Maryland, from a list of names of qualified individuals submitted to the Secretary and the Governor by an association that represents at least 250 licensed massage therapists in the State.
- (ii) The number of names on the list shall be five times the number of vacancies.
- (iii) The list shall include the name of the incumbent member unless the incumbent member declines renomination.
- (4) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate of Maryland.
- (b) (1) Each licensed massage therapist member shall be:
  - (i) A resident of the State;
  - (ii) A licensed massage therapist of integrity and ability who is in active practice;
  - (iii) A graduate of a Board–approved program in massage therapy; and
  - (iv) An individual who has practiced massage therapy in the State for at least 5 consecutive years before appointment.
- (2) (i) In this paragraph, “good standing” means that the Board has not reprimanded the licensed massage therapist, suspended or revoked the

license of the licensed massage therapist, or placed the licensed massage therapist on probation within 5 years before or after confirmation to the Board.

(ii) In addition to the requirements of paragraph (1) of this subsection, each licensed massage therapy member of the Board shall be in good standing with the Board.

(c) Each consumer member of the Board:

(1) Shall be a member of the general public;

(2) May not be or ever have been a massage therapist or massage practitioner or in training to become a massage therapist or massage practitioner;

(3) May not have a household member who is a massage therapist or massage practitioner or in training to become a massage therapist or massage practitioner;

(4) May not participate or ever have participated in a commercial or professional field related to massage therapy;

(5) May not have a household member who participates in a commercial or professional field related to massage therapy; and

(6) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(d) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(e) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) (1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 2016.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days after the date of the vacancy.

(6) A member may not serve more than 2 consecutive full terms.

(g) (1) The Governor may remove a member for incompetence or misconduct.

(2) On the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from two successive Board meetings without adequate reason.

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